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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DWIGHT GILCHRIST,)
)
Defendant.)
_____)

No. CR 06-0538 SI

STIPULATION AND [PROPOSED]
ORDER DOCUMENTING
EXCLUSION OF TIME

With the agreement of the parties in open court on December 15, 2006 and with the consent of the defendant Dwight Gilchrist ("defendant"), the Court enters this order 1) ordering the next hearing in front of this Court to be on February 23, 2007 at 11:00 a.m., and 2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from December 15, 2006 to February 23, 2007. The parties agree, and the Court finds and holds, as follows:

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[PROPOSED] ORDER DOCUMENTING
EXCLUSION OF TIME [CR 06 0538 SI]

1. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until February 23, 2006 is necessary for effective preparation of counsel and for continuity of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Defense counsel has submitted to the Government several additional discovery questions which the Government needs to research. Further, defense counsel would like to time to effectively prepare the case, including conducting its own investigation. Given these circumstances, the Court finds that the ends of justice served by excluding the period from December 15, 2006 to February 23, 2007, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

2. Accordingly, and with the consent of the defendant, the Court orders that 1) the next appearance in front of this Court will be February 23, 2007 at 11:00 a.m., and 2) the period from December 15, 2006 to February 23, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: January 3, 2007


/S/ Mark Vermeulen
Mark Vermeulen
Attorney for Dwight Gilchrist

DATED: January 3, 2007

/S/ Stacey P. Geis
Stacey P. Geis
Assistant U.S. Attorney

IT IS SO ORDERED.

DATED: _____



The Honorable Susan Illston
United States District Judge